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The USAREUR Inspectors General And You

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Agenda

- Purpose
- Why People Come to the IG
- Rules of the Road
- Top Requests for Assistance
- 10 Common Scenarios – Helpful Hints
- OIG Overview
  - ✓ Mission & Responsibilities
  - ✓ Basic IG Policies

Purpose

Our role is to <u>teach and train</u> you on what the regulations require using ten common scenarios…

***Ultimately* our goal is to <u>arm you with the correct solutions</u> and eliminate the IG from your business.**

Why do People Come to the IG?

- There are wide spread perceptions of misconduct.
- People do not understand the regulations or policies or simply do not agree with them.
- People do not believe the chain of command will help them.
- Revenge.
- Sometimes people use the IG to preempt chain of command actions.

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Rules of the Road
By Regulation…

- Everyone has the right to see the IG (we have ~275,000 customers in USAREUR).
- No allegation or request for assistance can be ignored.
- The IG is not a commander, we are fair & impartial fact finders & problem solvers.
- Investigations, inquiries, and inspections are directed by the IG's Commander not by the IG.
- IG records cannot be used as the basis for adverse action, to compare commands or commanders, or cited in evaluation reports or awards.

Rules of the Road

IGs Do Not…

- Recommend punishment.
- Interpret law.
- Establish command policy.
- Exercise directive authority.
- Change established redress procedures (Officer/Enlisted Evaluation Appeals Process)

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Rules of the Road

Questions We Always Ask Your Soldiers…

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- Are you absent from duty with permission?
- Have you contacted your chain of command about this issue?
- What do you want the IG to do for you?

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Top Ten Requests for Assistance
Through 3rd Qtr, FY03

1. **Personnel Management – Military**: Enlisted Promotions, Assignment/Reassignment, Leave/Pass, NCOER
2. **Personal Conduct**: Non-Support of Family, Harassment/Maltreatment, Abuse of Authority, Improper relations, Misuse of Gov't Resources.
3. **Command/Management of Organizations**: Details/duty rosters, Commander's Actions/Decisions, Mental Health Referrals, Reprisals, Moving Soldiers, Flagging Actions
4. **Finance and Accounting**: Military Pay, Travel Pay
5. **Personnel Management/Civilian**: Civilian Leave and Pay
6. **Health Care**: Access to Care, Medical Evaluation Boards
7. **Engineer/Facilities**: Family Housing Referral, Assignment, Availability, or Condition
8. **Community/Installation Support**: Postal Service, Family Advocacy, Dependent Schools

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Ten Scenarios

What do you do when…

- **Non Support**
- **Commander's Actions**
- **Commander's Decisions**
- **Enlisted Promotions**
- **Leave and Pass**
- **Abuse of Authority**
- **Improper Relationships**
- **Reprisal**
- **Moving Soldiers**
- **Flagging Actions**

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Non-Support Scenario

Next week your unit will deploy to Grafenwoehr for 30+ days. Your 1SG just walked into your office with an issue from the local IG office. The packet says a Mrs. Allen Smith, living in Tampa, Florida, has complained that her husband, SSG Allen Smith, a member of your unit, has not provided any monetary support to her and their two small children for 4 months. Your local IG says you have 14 days to solve this issue.

Applicable Regulations

AR 608-99

DOD 7000.14R

Who Can Help

Local Finance Office (verify BAH being paid to solider)

Local Staff Judge Advocate (amount of support required)

Local PSB/PSD (DEERS Enrollment)

What do you do?

Non-Support Scenario

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Commander's Responsibilities

- ✓Determine the truth of the complaint (is there a dependent wife and kids?) If yes…
  - ✓Determine if a court order or written support agreement exists (get a copy from the solider or dependent).
  - ✓Determine proper amount of monthly payment (SJA can help)
  - ✓ORDER soldier to pay the proper support. If you do not you are placing yourself at risk!
  - ✓Follow up to ensure your order is being followed every month.
  - ✓Address 4 months worth of arrearages.

Non-Support Scenario

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Things You Need to Know

✓Soldiers must pay the amount of the court order or written support agreement – garnishment is an option in this case.

✓Soldiers must pay BAH-II (flat rate based on rank) if receiving BAH and no court order exists – BAH is not an entitlement, it goes to the family or back to the government

✓You cannot order the method of payment (money order, check, allotment, etc.) but it's a good idea to strongly suggest an allotment.

✓If dependents live in government quarters soldier must pay BAH Diff.

✓Can't order soldier to pay arrearages but it's the morally right thing to do – Spouse must go through US Courts to get back support.

✓You can punish soldiers who refuse to pay support (up to and including Courts Martial).

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Non-Support Scenario

More Things You Need to Know

- ✓It is legal for a soldier to keep the difference between his BAH (rate based on where you live) and what he is obligated to pay his dependents (BAH II). OTJAG currently staffing a change to this loophole.
  - ✓Example: Soldier's family is in Long Island, NY where the BAH rate is $1800/month. Soldier is required to pay BAH II rate for his rank or $800/month. Soldier can legally pocket $1000/month.
- ✓Most States have reciprocal support agreements with Germany. German wives can get their money through our State governments. Check with your JAG.
- ✓If the soldier is drawing BAH but cannot locate his spouse, advise them to put the BAH in a bank account.

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Non-Support Scenario

Recap TTPs

- ✓Find out the truth to the allegation of non-support (interview the soldier, check the DEERS database, check for court judgment concerning paternity).
- ✓Find out if a court order or separation agreement exists.
- ✓Find out if the soldier is receiving BAH.
- ✓Get with JAG to validate amount owed (especially with complicated dependent issues).
- ✓Order the soldier to pay the appropriate amount.
- ✓Follow up with dependent to make sure the money was received.

Commander's Actions Scenario

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You have just taken command. During the initial Company sensing session you learn that all your weight control program soldiers are mad because they are required to participate in a Special Physical Fitness Program three times per week (Monday, Wednesday, Friday) beginning at 1700 (normal duty day ends at 1630). These soldiers say they are being punished and want you to stop the Special Training.

<u>Applicable Regulations</u>

FM 21-20 Physical Fitness Training

AR 350-41 Training in Units

AR 600-9 The Army Weight Control Program

<u>Who Can Help</u>

Master Fitness Trainer

What do you do?

Commander's Actions Scenario

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Commander's Responsibilities

✓**Ensuring every soldier in your unit meets the body fat standards (AR 600-9).**

✓**Ensuring your unit has a physical fitness program that meets the intent of the regulation (AR 350-41).**

Commander's Actions Scenario

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Things You Need to Know

✓Special PT programs must be tailored according to FM 21-20 and kept separate and distinct from the Army Body Composition/Weight Control Program.

✓Special PT programs must be designed to overcome specific weaknesses like aerobic or strength deficiencies.

✓AR 600-9 states, Commanders and supervisors will provide educational and other motivational programs to encourage personnel to attain and maintain proper weight (body fat) standards. Such programs will include—Nutrition education sessions, exercise programs.

✓If your Battalion or Brigade Commander has a policy of no additional/special training after duty hours, you must obey that policy regardless of what the regulations allow.

Commander's Actions Scenario

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Recap TTPs

- ✓Review your command's policy letters on after duty training.
- ✓Review your 1700 special PT program for weight control program soldiers to ensure the training specifically addresses their deficiencies (i.e. exercises should be aerobic in nature).
- ✓Make sure all involved understand why the special program exists.
- ✓Immediately take soldiers who meet the body fat standards off the special program.

Commander's Decisions Scenario

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Three NCOs from 1st Platoon and the First Sergeant just walked into your office and closed the door. They proceed to tell you that SPC Black, a member of your unit, is acting weird. They tell you that this otherwise excellent soldier is missing formations, fighting with other platoon members, and being disrespectful to the platoon leadership. None of this behavior describes SPC Black's normal demeanor. They say SPC Black won't talk to them about this situation. The 1st platoon leadership is concerned and now so are you.

Applicable Regulations

UR 40-6 Referring Soldiers for Mental Heath Evaluations

DoD Directive 6490.1 Mental Health Evaluations

DoD Instruction 6490.4 Requirements for Mental Healt

Who Can Help

Mental Healthcare Provider, Local SJA, Chaplain

What do you do?

Commander's Decisions Scenario

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Commander's Responsibilities

✓**Protect the soldier from himself, those around him, and property.**

Commander's Decisions Scenario

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Things You Need to Know

✓**The Commander must decide if a Mental Health Referral is warranted based on the facts. Only the commander can refer a soldier for a mental health evaluation.**

✓**You must determine if the soldier is an immediate threat to himself , others, or property (emergency) .**

✓**You must consult with your qualified mental healthcare provider before referring (except in emergencies).**

✓**You must protect the rights of the soldier including the right to seek a second opinion.**

✓**Always complete AE Form 40-6A-R and document every step in writing.**

✓**Never refer a soldier as a reprisal.**

✓**Self referrals have different disclosure rules but the mental healthcare provider must tell you if drugs are prescribed.**

Commander's Decisions Scenario

AE 40-6A-R

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UNIT COMMANDERS REQUEST FOR MENTAL-HEALTH EVALUATION (USAREUR Reg 40-6)			1. DATE
Give original to the soldier's escort to handcarry to the unit or medical facility. Attach supplementary reports (for example, investigations, CID data). Prepare one copy for the soldier.			
2. TO		3. FROM	
4. PURPOSE OF EVALUATION (Include comments about what the evaluation should achieve.) ☐ STUDY AND TREATMENT ☐ PRE-TRIAL REPORT ☐ REHABILITATION ☐ ARMY CONFINEMENT FACILITY ☐ OTHER (Specify)			
SECTION A - PERSONAL DATA			
5. NAME (Last, First, MI)	6. RANK	7. GT SCORE	8. SSN
9. ORGANIZATION AND APO	10. MOS		11. AGE
12. ENLISTMENT DATE	13. TERM OF SERVICE		14. TOTAL YEARS IN SERVICE
15. CURRENT DUTY ASSIGNMENT	16. DATE OF ARRIVAL IN EUROPE		17. ROTATION DATE (PCS)
SECTION B - BEHAVIORAL REPORT (FOR ADDITIONAL COMMENTS, USE REMARKS BLOCK NO. 32)			
18. WHEN AND HOW DID THE SOLDIER'S BEHAVIOR BECOME NOTICEABLE?			
19. DESCRIBE ANY RECENT CHANGES IN SOLDIER'S CONDUCT AND EFFICIENCY.			
20. DESCRIBE HOW THE SOLDIER GETS ALONG ON THE JOB, WITH OTHER SOLDIERS IN THE UNIT, AND WITH SUPERVISOR.			
21. LENGTH OF TIME SOLDIER HAS BEEN IN THE UNIT.	22. LENGTH OF TIME THE COMMANDER HAS KNOWN THE SOLDIER.		
23. DESCRIBE ANY PERSONAL, FAMILY, OR OTHER PROBLEMS AFFECTING THE SOLDIER'S BEHAVIOR.			

AE FORM 40-6A-R, FEB 96 This edition replaces AE Form 40-6A, dated Sep 90

Commander's Decisions Scenario

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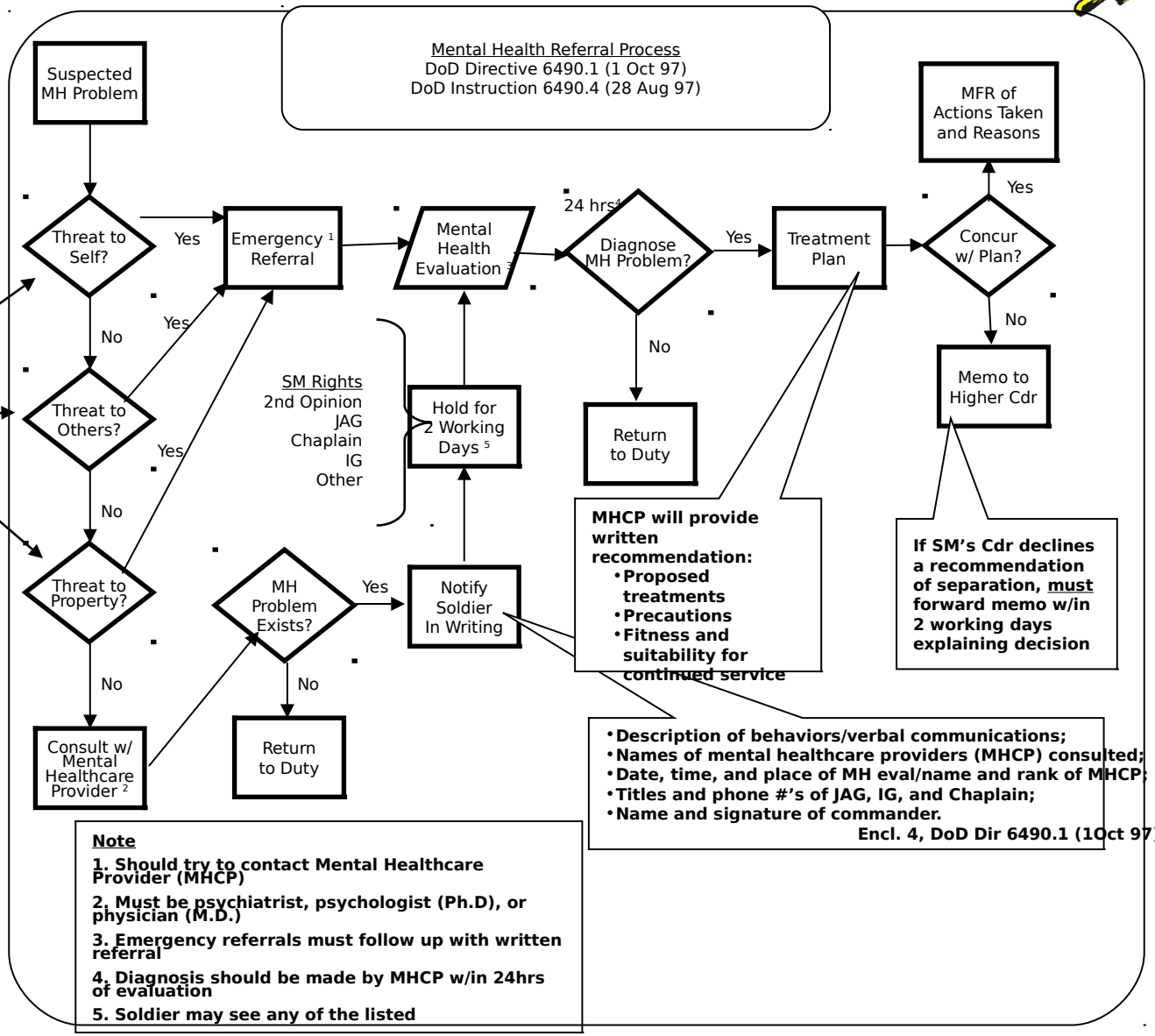
Immediate?


Mental Health Referral Process
DoD Directive 6490.1 (1 Oct 97)
DoD Instruction 6490.4 (28 Aug 97)
Suspected MH Problem
Threat to Self?
Yes
Emergency 1 Referral
Mental Health Evaluation 3
24 hrs 4
Diagnose MH Problem?
Yes
Treatment Plan
Concur w/ Plan?
Yes
MFR of Actions Taken and Reasons
No
Memo to Higher Cdr
No
Return to Duty
Threat to Others?
Yes
No
Threat to Property?
Yes
No
SM Rights
2nd Opinion
JAG
Chaplain
IG
Other
Hold for 2 Working Days 5
MH Problem Exists?
Yes
Notify Soldier In Writing
No
Return to Duty
Consult w/ Mental Healthcare Provider 2
MHCP will provide written recommendation:
•Proposed treatments
•Precautions
•Fitness and suitability for continued service
If SM's Cdr declines a recommendation of separation, must forward memo w/in 2 working days explaining decision
•Description of behaviors/verbal communications;
•Names of mental healthcare providers (MHCP) consulted;
•Date, time, and place of MH eval/name and rank of MHCP;
•Titles and phone #'s of JAG, IG, and Chaplain;
•Name and signature of commander.
Encl. 4, DoD Dir 6490.1 (1Oct 97)
Note
1. Should try to contact Mental Healthcare Provider (MHCP)
2. Must be psychiatrist, psychologist (Ph.D), or physician (M.D.)
3. Emergency referrals must follow up with written referral
4. Diagnosis should be made by MHCP w/in 24hrs of evaluation
5. Soldier may see any of the listed

Commander's Decisions Scenario

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Recap TTPs

✓Make a decision to refer for mental health evaluation based on the available evidence and a consult with you mental healthcare provider if non emergency.

✓Notify the soldier in writing using the format in the ERMC packet .

✓Fill out AE Form 40-6A-R and make sure the escort carries this with them to the appointment.

✓Allow a minimum or two working days to seek a second opinion, good idea to give him the numbers of the SJA, IG, and Chaplain.

✓Have an NCO or Officer escort him to his appointment.

✓Review the treatment plan from the Mental Healthcare Provider, make sure you understand the treatment, precautions, and fitness and suitability for service

Enlisted Promotions Scenario

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The local IG calls to inform you that one of your soldiers has contacted him with a complaint about how your company selects PFCs for promotion to SPC. The soldier alleges that the Company Commander and First Sergeant only recommend soldiers who have qualified expert on their assigned weapons and who get 300 points on their APFT. The complainant also alleges the company recommended two soldiers for promotion with waiver who recently received Article 15 punishment and were reduced.

Applicable Regulations

AR 600-8-19 Enlisted Promotions and Reductions

Who Can Help

Local PSB/PSD
Local SJA

What do you do?

Enlisted Promotions Scenario

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Commander's Responsibilities

✓**Recommend for promotion only those soldiers fully qualified according to AR 600-8-19.**

Enlisted Promotions Scenario

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Things You Need to Know

- ✓AR 600-8-19 clearly spells out the criteria for promoting a PFC.
  - ✓Without a waiver a PFC needs: 24 months TIS, 6 months TIG, not be flagged or barred and not be denied promotion by the promoting authority.
- ✓AR 600-8-19 says a soldier reduced in rank (by any means) must be fully qualified for promotion (no waiver allowed).
- ✓AR 600-8-19 does not restrict commander's use of special criteria to select with-waiver promotions.

Enlisted Promotions Scenario

Recap TTPs

- ✓Research your promotion authority.
  - ✓ PV2, PFC and SPC = Co/Troop/Btry/Sep Detachment CDR
  - ✓SGT and SSG = Units authorized a LTC commander
  - ✓SFC, MSG, SGM = DA
- ✓Understand what fully qualified means for your promotion authority (TIS, TIG, no flag, recommended by promotion authority).
- ✓Understand what must be done if you or the chain of command does not recommend a soldier for promotion (commander or his designee, i.e. first <u>senior</u> NCO in the soldier's chain of command must counsel in writing).
- ✓Review your with-waiver criteria with the 1SG to make sure it makes sense and publish it so everyone knows the rules.

Leave and Pass Scenario

One of your soldiers submits a DA-31 request for 10 days leave along with his current LES which says he has 20 days accrued leave. His squad leader has verified this soldier has 20 days accrued leave and submits the DA-31 and LES to the Platoon Sergeant for action. The Platoon Sergeant denies the request for leave because the special company request form was not filled out nor was there an adequate explanation why the soldier wants to take leave. On top of this the Platoon Sergeant says there are three other soldiers in the platoon with higher priority leave requests so this one goes to the bottom of the OML for leave.

Applicable Regulations

AR 600-8-10 Leaves and Passes

Who Can Help

Local PSB/PSD

What do you do?

Leave and Pass Scenario

Commander's Responsibilities

- ✓**Develop and execute an annual leave program that ensure maximum use and minimum lose of annual leave.**
- ✓**"(12) To allow the use of of an average of 30 days per year"**
- ✓**"(13) To provide opportunity for leave to be taken as earned."**
- ✓**Follow the specific policies outlined in AR 600-8-10.**
- ✓**Accomplish the mission.**

Leave and Pass

Things You Need to Know

Scenario

✓AR 600-8-10 gives commanders the authority to deny leave based on mission needs.

✓You cannot require a soldier maintain a minimum leave balance (e.g. 5 days) before granting ordinary leave.

✓You are only allowed to grant advance leave that can be paid back during the current enlistment (e.g. can authorize up to 15 days advance leave if the soldier has six months left on his current enlistment).

✓You do not have to grant advance leave.

✓You can take leave following a pass (or vice versa) so long as the leave and pass both begin and end at your place of duty or the place from which you normally commute to your place of duty (your home).

✓You cannot order a soldier to take leave. Your responsibility is to counsel the soldiers who will not take leave that they risk losing leave.

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Leave and Pass Scenario

Recap TTPs

✓**You are responsible for establishing an annual leave program that maximizes use of leave and minimizes lose of leave.**

✓**Blanket leave policies usually do not work, treat each request on a case-by-case basis…that's the law.**

✓**Research your authority as it applies to leave, passes, compensation time, and authorized absences. Read AR 600-8-10.**

Abuse of Authority Scenario

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1LT White, a member of your unit, is due his annual OER. You have been his rater for 18 months and have been pleased with his performance. Although not the best Lieutenant in your unit, he is certainly a quality officer, worthy of promotion and company command. Your evaluation essentially says this. The Battalion Commander (the senior rater) disagrees with your evaluation and refuses to senior rate 1LT White until you change your rater portion to be less flattering. You are convinced your evaluation is fair and accurate.

Applicable Regulations

AR 623-105 Officer Evaluation Reporting System

What Can I Do?

Chain of Command
Local SJA
Local IG

What do you do?

Abuse of Authority Scenario

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Commander's (Rater/Senior Rater) Responsibilities

- ✓ **Write a fair and honest evaluation of the rated officer.**
- ✓ **Enforce the regulation.**

Abuse of Authority Scenario

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Things You Need to Know

- ✓**AR 623-105 clearly states no one can alter an OER except to correct obvious administrative errors.**
- ✓**No Commander has the authority to use his influence to change an honest evaluation.**
- ✓**There is zero tolerance for this type of behavior.**
- ✓**There is also considerable risk to the junior officer (or NCO) rater involved.**
- ✓**There are people in your unit or senior headquarters that can help.**
- ✓**The Army has well established procedures when a senior rater or reviewer disagrees with a rating or senior rating.**

Abuse of Authority Scenario

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Recap TTPs

✓Talk to the Battalion Commander to ensure he understands his authority and the risk he is taking by forcing you to change your evaluation.

✓Seek out the CSM, XO, S-3 or other senior officer/NCO for their help.

✓If necessary, take this issue to the Brigade Commander or to your IG.

✓Although hard to do, stand up for what is right. There are procedures already in place if a person in the rating chain disagrees with your evaluation.

Improper Relationship

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One of your senior NCOs walks into your office and reports that while in the club over the weekend he witnessed 1LT Mark Brown and SPC Lisa Turner dancing. Your NCO tells you there definitely appears to be a relationship between these two members of your command. Later that day in the motor pool 2LT Jones makes a similar statement about Brown and Turner. Jones says he has witnessed them holding hands in the PX during off duty hours.

Applicable Regulations

AR 600-20 Army Command Policy

DA PAM 600-35 Relationships Between Soldiers of Different Rank

Who Can Help

Your local IG

Local Staff Judge Advocate

What do you do?

Improper Relationship

Commander's Responsibilities

✓**Promote the health and welfare of all members of their organization and maintain good order, morale, and discipline.**

✓**Prevent inappropriate or unprofessional relationships through proper training and leadership by example.**

✓**Take corrective action if an improper relationship exists or appears to exist.**

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Improper Relationships

Things You Need to Know

✓**Relationships between soldiers of different rank are prohibited if they:**

- ✓**Compromise, or appear to compromise, the integrity of supervisory authority of the chain of command.**
- ✓**Cause actual or perceived partiality or unfairness.**
- ✓**Involve, or appear to involve, the improper use of rank or position for personal gain.**
- ✓**Are, or are perceived to be, exploitative or coercive in nature.**
- ✓**Create an actual or clearly predictable adverse impact on discipline, authority, morale, or the**

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Improper Relationships

Things You Need to Know

✓**Relationships between Officers and Enlisted personnel are strictly forbidden.**

✓**Relationships between Enlisted personnel of different ranks (NCO and junior enlisted) are allowed so long as the relationship does not have an adverse impact on the unit.**

Improper Relationships

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Recap TTPs

✓The commander must take responsibility for investigating any allegation of an improper relationship. If true, it constitutes wrongdoing governed by a punitive regulation.

✓Both parties must be counseled in writing and ordered to end the relationship if it is determined to be improper.

✓In the end the command must take appropriate action to maintain good order and discipline in the unit.

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Reprisal Scenario

You have just taken command. PFC Rock, a member of your unit, approaches you on your open door policy. He tells you that his platoon sergeant is continually not recommending him for promotion to SPC. He says he believes his platoon sergeant is doing this because when he first got to the unit he had to seek assistance from the IG on a personal matter. The platoon sergeant believes PFC Rock "turned him in" to the IG. PFC Rock now wants to know what he has to do to get promoted.

Applicable Regulations

AR 20-1 Inspector General Activities and Procedures

DoD Directive 7050.6, Military Whistleblower Protection Act

Title 10 US Code Section 1034

Who Can Help

Inspector General

SJA

What do you do?

Reprisal Scenario

Commander's Responsibilities

✓**Commanders are required to inquire into all allegations and should consult with local SJA.**

✓ **Report violations of prohibited actions to the chain of command or to the local IG. Alternatively, the circumstances may be reported to a higher headquarters IG (i.e., USAREUR, DA, or DoD).**

✓**Someone has to deal with this alleged allegation of wrongdoing.**

Reprisal Scenario

Things You Need to Know

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✓**A *reprisal* is defined as taking or threatening to take, or withholding or threatening to withhold a favorable personnel action against a military member for making or preparing to make a protected disclosure.**

✓**A *protected communication* is any lawful communication to a Member of Congress, or Inspector General, or a lawful communication with member of a DOD audit, inspection, investigation or law enforcement organization, or chain of command in which the military member makes a complaint or discloses information that the military member reasonably believes evidences:** a violation of law or regulation(including sexual harassment or unlawful discrimination), mismanagement, gross waste of funds, abuse of authority, and substantial and specific danger to public health or safety.

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Reprisal Scenario

Things You Need to Know

(continued)

✓**Persons making protected communications are protected against reprisal by the Whistleblower Protection Act of l989. Allegations of reprisal will be reported to the DOD IG who will determine the investigating agency that will work the case. Investigations will focus on the reprisal, not the complainant.**

✓**The DoD screening criteria, at every level (including company level commanders) are:**

- ✓**Was a protected communication made?**
- ✓**Was an unfavorable personnel action taken or threatened, or was a personnel action withheld or threatened to be withheld following the protected communication?**
- ✓**Did the official(s) responsible for taking, withholding, or threatening the personnel action know about the protected communication?**
- ✓**Does the evidence establish that the personnel action would have been taken, withheld, or**

Reprisal Scenario

Recap TTPs

✓**Report this incident to your chain of command, SJA, or IG.**

✓**Someone must investigate the allegation of reprisal.**

✓**If this constitutes a Whistleblower Reprisal it must be reported to DoD IG through the IG system.**

Moving Soldiers Scenario

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The Battalion Commander wants you to move SPC Jones, one of your soldiers, to another unit in your battalion for operational reasons. Your unit is located in Stuttgart, Germany and your boss wants him moved to a sister company in Mannheim, Germany. He wants the move to take place within 48 hours. Your battalion adjutant hands you a DA Form 4187 as authority to move SPC Jones. Your Battalion CSM has arranged a detail to help move Jones' property and a NTV to transport him to Mannheim.

Applicable Regulations

Title 37, US Code; DoD Directive 1315.7; Joint Travel Regulation (JTR); AR 614-30, Overseas Service; AR 600-8-105, Military Orders

Who Can Help

Local Transportation Office (verify distance of move)

PSD/PSB//1st PERSCOM (verify type of move: no, low or full cost)

Local Finance (verify entitlements)

What do you do?

Moving Soldiers Scenario

Commander's Responsibilities

- ✓ **Ensure the move is properly authorize.**
- ✓ **Ensure your soldier's entitlements are protected**

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Moving Soldiers Scenario

Things you need to know

✓There are different Title 37 entitlements for certain types of moves (no cost, low cost, or full cost).

✓We do not have the authority to deny/withhold entitlements.

✓Proper authority to move soldiers from their permanent duty stations must include either TDY orders or permanent change of station orders (or amendments).

✓Using an NTV to illegally move a soldier constitutes fraud.

Moving Soldiers Scenario

Recap TTPs

✓**Before you order a move call your local transportation & finance and find out if the move is no cost, low cost, or full cost move. Finance can tell you what entitlements the soldier is authorized.**

✓**Contact your PSB/PSD/1st PERSCOM to determine who must cut orders.**

✓**Consult with your ethics advisor before you use an NTV to move a soldier.**

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Flagging Actions Scenario

SGT Clark is currently on reassignment orders to Fort Bragg, NC. He has shipped his household goods and his car. SGT Clark and his family are due to fly in the next two weeks. Last week your company completed the semi-annual APFT and unfortunately SGT Clark failed the push-up portion. He was flagged as an APFT failure by your PAC. The PAC NCOIC told SGT Clark he cannot be reassigned because he is flagged as a PT failure. SGT Clark is now standing in your doorway…

Applicable Regulations

AR 800-8-2

Who Can Help

PSD/1SB/1st PERSCOM

What do you do?

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Flagging Actions Scenario

Commander's Responsibilities

- ✓ **Enforce the regulation.**
- ✓ **Take care of your soldiers and families.**

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Flagging Actions Scenario

Things you need to know

✓There are two different types of flags; non-transferable and transferable.

✓APFT failure is a transferable flag.

✓The regulation allows the commander to reassign a soldier who is flagged for APFT failure.

Flagging Actions Scenario

Recap TTPs

✓**Consider retesting your soldier then lifting the flag rather than reassign an APFT failure to another unit.**

✓**If retesting is not an option or the soldier cannot pass the test you must weigh the hardship on the soldier and family against sending an APFT failure to their new assignment.**

✓**In the end it is the commander's call, the regulation says you <u>may</u> reassign an APFT failure.**

OIG Website - Leader's E-book

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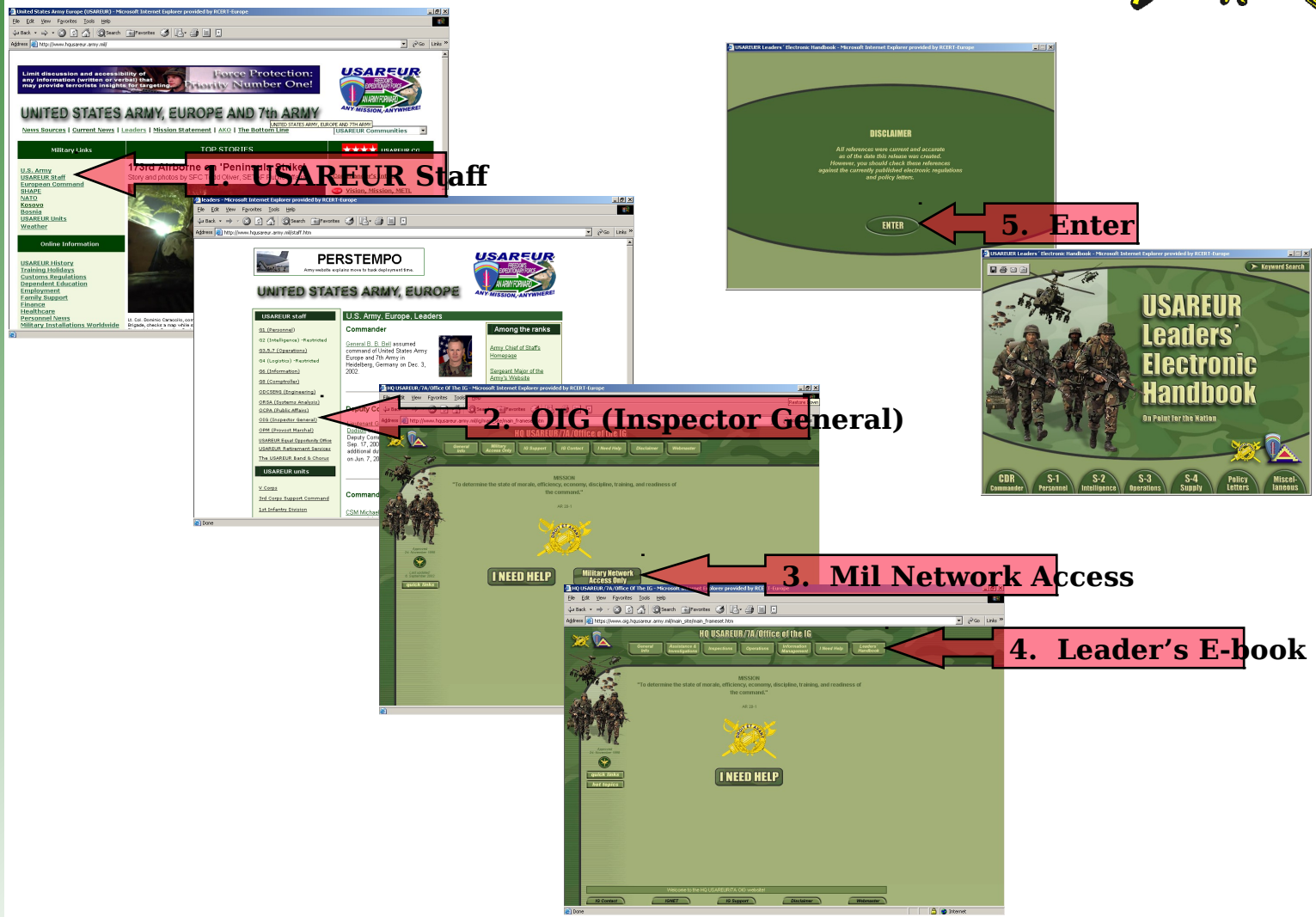

https://www.oig.hqusareur.army.mil/main_site/main_frameset.htm

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IG Overview

Roles and Responsibilities

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Mission:

To determine the state of morale, efficiency, economy, discipline, training, and readiness of the command.

AR 20-1

What We Do

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- **Teach and train US Army Europe** on any aspect of the command for which the CG, USAREUR has responsibility.

- **Conduct inspections** on behalf of the USAREUR Commander to find systemic problems (if they exist) so the Commander can change policy, focus, procedures, or redirect resources if necessary.

- **Conduct investigations and inquiries** into allegations of wrong doing brought to the attention of any IG by any source.

- **Assist soldiers, leaders, DA Civilians, family members, and retirees** with resolving any issue or complaint brought to the attention of any IG.

Evolution of the Army IG

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Past - Post Vietnam era - Black Hat.

Army IG 1980

Strictly compliance - "The regulations".

Today - Less focus on compliar

More interest in systemic prob

What's the root cause of the pr

Teach & Trai

Investigation Policies

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- USAREUR IGs do not investigate General Officers (including O-6(P)) or Senior Executive Service Civilians.

- GEN Bell retains the investigative “right of first refusal” on LTC commanders and all COLs, GS-14/15, and any “sensitive” allegations (perceptions of favoritism are accounted for in the decision).

- Every allegation made to an IG must be addressed but not every allegation is investigated by the IG, we do a lot of referrals.

- We generally do not handle allegations against DFAS, AAFES, DoDDS, DECA, or DLA, they each have their own IG but we often assist these agencies.

Investigation Policies (Con't)

- There are only two outcomes in any IG investigation; the allegation is substantiated or not substantiated.
- A substantiated allegation means the preponderance of credible evidence exists to prove the allegation is true.
- A substantiated allegation requires the IG to formally notify the subject/suspect in writing. Everyone has the right to address unfavorable information against them.
- A substantiated allegation stays in the IG database for 30 years and is subject to post board screening.
- IG investigations legal actions.

About 25% of all allegations investigated by an IG are substantiated.

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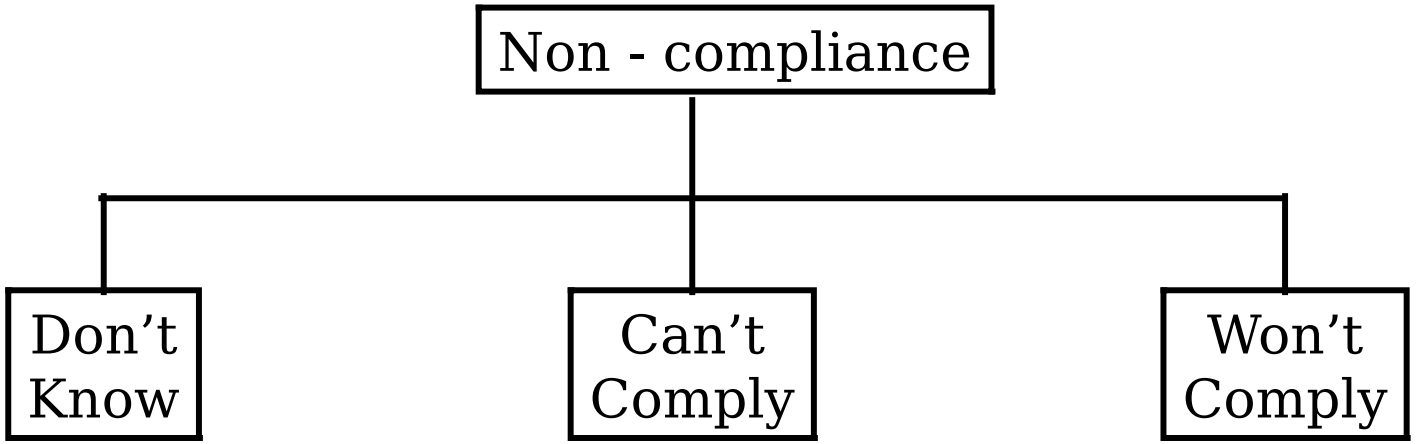
Inspection Policies

- The directive authority determines what will be inspected by the IG and the scope of every inspection.
- The directive authority controls distribution of all IG Reports of Inspection.
- All areas inspected are measured against the written DA and USAREUR standards. A unit either meets the standard or not.
- All inspections focus on systemic issues answering the question why are the standards not being met.
- Every inspection finding will have a root cause and a recommendatio
- The findings are si report not the unit.

Every Commander gets an out brief before we leave. What you do with that is up to you. Senior Commanders get a rolled up version of the findings.

Inspection Policies

Root Cause Analysis



- Never knew.
- Forgot.
- Task implied.

- Lack resources.
- Don’t know how.
- Compliance is impossible.

- No reward.
- No penalty.
- Disagree.

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IG Locations

IG Coverage in USAREUR

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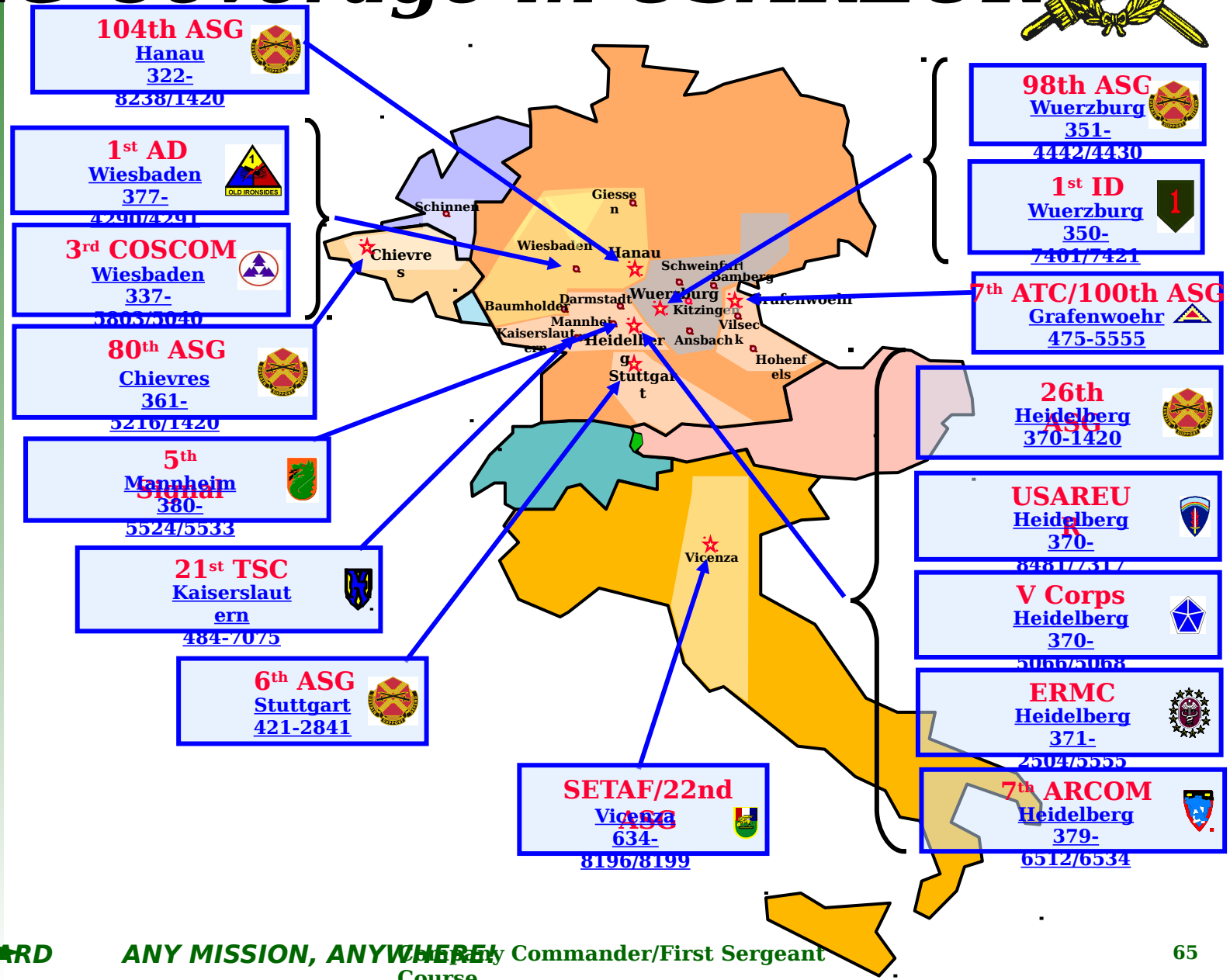

USAREUR IGs

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USAREUR/7th Army

COL Clark

TF Eagle

LTC Stevens

TF Falcon

MAJ Wagner

V Corps

COL Ballard

SETAF/22nd ASG

LTC Williams

21st TSC

LTC Andrews

6th ASG

CPT McNally

98th ASG

CPT Poston

5th Signal

LTC Mulkey

1st AD

MAJ Alford

26th ASG

CPT Castro

7th ATC/100th ASG

MAJ Welling

ERMC

LTC Havens

1st ID

LTC Kirklighter

80th ASG

MAJ Rogers

104th ASG

MSG Burton

7th ARCOM

COL Sugai

3rd COSCOM

LTC Ley

USAREUR OIG Hotline

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USAREUR IG Hotline - DSN 370-555

- Periodic public announcement on AFN.

  - Receive:
    - Requests for IG assistance.
    - Equal opportunity complaints.
    - Sexual harassment complaints.

- Subordinate IGs have their own hotline

DSN 370-5555

Questions - Comments

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Be Right - And Go Forward!